



STATE OF RHODE ISLAND

Energy Facility Siting Board

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Chairman Ronald T. Gerwatowski
Board Member Meredith E. Brady
Board Member Terrence Gray

Linda D. George
Administrator
Division of Public Utilities & Carriers
89 Jefferson Blvd.
Warwick, RI 02888

October 19, 2021

Re: EFSB Docket SB-2021-01: Request for Independent Engineering Review

Dear Administrator George,

As Chairman of the Energy Facility Siting Board (Board), I am writing this letter to request assistance from the Division of Public Utilities and Carriers (Division) in a case now before the Energy Facility Siting Board (Board) relating to the Revolution Wind project (Project).

While the entire Project is not jurisdictional to the Board, there are components of the project relating to the transmission of power from the offshore wind turbines to the mainland, including the onshore 275 kV transmission cables which would deliver the power to the Davisville substation owned by The Narragansett Electric Company d/b/a National Grid in North Kingstown. The transmission cables will transmit the power from the landfall location along the shore to a location where the Applicant proposes to construct a new substation and interconnection facilities. The proposed onshore substation will receive the power from the 275 kV transmission cables before flowing to the proposed interconnection facilities through which the power will pass before being delivered to National Grid's Davisville substation which is located in close proximity to the proposed location for the interconnection facilities.

The offshore wind Project is widely supported as an energy policy matter. Not surprisingly, no party intervened in opposition to Revolution Wind obtaining a license from the Board to construct the jurisdictional components of the Project. The Division was a party to advisory opinion proceedings at the Public Utilities Commission which addressed the issues of need and cost, but the Division is not a current party to the proceedings at the Board, nor did I expect the Division to be a party given the circumstances and the types of issues before the Board in consideration of the Application.

While the proceedings were continuing unopposed, the Board held public comment hearings in North Kingstown on September 22, 2021. At those hearings, members of the public

who have homes on Camp Avenue provided comments to express concerns about a short segment of the onshore cable route which will traverse along Camp Avenue in front of their homes. This short segment is the only portion of the onshore cable route that passes through a residential area. The residents who spoke were very respectful and did not express opposition to the overall Project itself. However, they pointed out that there appeared to be a means of avoiding that specific residential stretch of Camp Avenue by utilizing an existing access road that traverses north from Camp Avenue to National Grid's Davisville substation.

After the public comment hearing, the Board sent data requests to Revolution Wind, questioning why Revolution Wind did not consider the existing access road as a means of reaching the proposed onshore substation which will receive the power from the 275 kV transmission cables. Without addressing the pertinent details, it is important to state that the responses given by Revolution Wind to the inquiry were far less than satisfactory to the Board.

At the first hearing occurring on October 12, 2021, the Board asked many questions about Revolution Wind's responses to the data requests and ultimately requested the Applicant to conduct a high-level engineering analysis which would show how the Applicant would reconfigure its onshore substation and interconnection facilities if the Board were to require Revolution Wind to use the existing access road instead of continuing along Camp Avenue in close proximity to the residences. This was a hypothetical being posed by the Board and in no way should be interpreted as a decision by the Board to re-route the last short segment of the line. Nevertheless, because the Applicant never considered any alternatives to passing through the residential area, the Board required the analysis.

While Revolution Wind has indicated that they will do a good faith analysis and present the information to the Board, the Board recognizes that to the extent the routing decision is based upon electrical engineering considerations and associated risks, it has become necessary for the Board to obtain the assistance of a neutral, independent engineering firm who can evaluate the situation objectively for the Board. While the Board expects Revolution Wind to respond in good faith to its request, Revolution Wind has a vested financial interest in retaining the configuration which traverses in front of the residential homes. This financial interest, combined with the less than satisfactory responses given to the Board when the Board first inquired, strongly indicated the need to have an independent engineering review of the alternatives for this last leg of the route.

The Board has the duty to assure that construction of the jurisdictional facilities produces the fewest possible adverse effects on the quality of the state's environment. In this case, there is a small number of residents along Camp Avenue who will have to experience at least three months of hardship with the complex installation and construction of the duct bank and conduit system that will house the six conductors associated with the two 275 kV transmission lines along this segment of the route.¹ If the residents are required to bear this hardship and potentially others, the Board believes it has a duty to assure that there was no other reasonable alternative available. It is obvious that the residents do not have the financial or other resources available to intervene as a party and litigate this issue, as they have not done so and are dependent on the Board to carry out a full review.

¹ The Applicant estimates that it will take twelve months to complete the construction of the entire route, three of which would relate to the segment on Camp Avenue.

It may very well be that for engineering reasons, the proposed Camp Avenue segment is unavoidable. On the other hand, it also is possible that the existing access road does, in fact, provide a feasible and reasonable alternative. The Board has no preconceived opinion on this question. However, what is clear is that a qualified independent engineering review is necessary for the Board to confidently draw any conclusions.

The Board has the authority to hire its own engineering experts to evaluate the proposal. However, the consultancy procurement process could delay the Board's proceeding for months by the time the Board complies with that process and selects a firm, the firm conducts the review, and the firm provides a report to the Board. It is for this reason that the Board is requesting assistance from the Division which the Board believes is in the public interest. The Board is aware that the Division uses well-qualified engineering consultants to evaluate numerous electric distribution and transmission issues regularly before the Public Utilities Commission. Through the participation of the Division in this docket, the Board seeks the expertise of the Division's consultants. The Board is confident that the review process could proceed expeditiously and efficiently if the Division accepts this request.

To be clear, the Board is not asking the Division to take a position in this proceeding for or against any alternative route for the transmission cable. Rather, the Board only seeks the Division's assistance to obtain a qualified, objective review of the alternative configurations at the last leg of the cable route. The Board envisions giving the Division's consultant the ability to ask data requests, meet with the Applicant, and review all pertinent materials. Upon completing the review, the Board would ask the Division's engineering expert to testify before the Board, providing the Board with an independent assessment, including the pros and cons of alternative configurations, identification of risks, and an opinion as to the reasonableness of any configurations provided by the Applicant to the Board. The expert witness would then be available to answer questions from the Board, as well as the parties to the proceeding. The Board would not require nor expect the Division to file any legal briefs or take a position, unless the Division desired to do so in the exercise of its own discretion. It also is important to point out that the cost of designing, constructing, and operating the transmission facilities at issue are fully borne by Revolution Wind and has no incremental impact on ratepayers one way or the other. Further, the costs incurred by the Division for the engineering analysis and expert testimony will be reimbursed pursuant to the authority granted under Rhode Island General Laws § 42-98-17.

I look forward to receiving your response. If it is possible to provide a response by October 22, 2021, it would be greatly appreciated.

Sincerely,



Ronald T. Gerwatowski
Chairman

c. Meredith Brady
Service List, Docket SB 2021-01